

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CONNECTU LLC

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO
SAVERIN, DUSTIN MOSKOVITZ, ANDREW
MCCOLLUM, CHRISTOPHER HUGHES, and
FACEBOOK, INC.,

Defendants.

MARK ZUCKERBERG, and
FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,

Additional Defendants on
Counterclaims.

Civil Action No.: 04-11923-DPW

Hon. Douglas P. Woodlock

**NOTICE OF NAME CHANGE AND
ASSENTED-TO MOTION TO AMEND CAPTION**

PLEASE TAKE NOTICE that defendant-counterclaimant “TheFacebook, Inc.” has changed its corporate name to “Facebook, Inc.” No other changes to the corporate organization have occurred. A copy of documentation filed with the State of Delaware, Secretary of State, Division of Corporations, dated September 30, 2005, is attached hereto as Exhibit A.

WHEREFORE, defendant-counterclaimant TheFacebook, Inc. respectfully moves this Court to amend the case caption to reflect that “TheFacebook, Inc.” has changed its corporate name to “Facebook, Inc.” Counsel for Plaintiff ConnectU LLC has assented to this motion to amend the caption. Accordingly, it is respectfully requested that the Clerk of the Court change the Court’s records to reflect this name change.

Dated: October 20, 2005

Respectfully submitted,
DEFENDANT-COUNTERCLAIMANT
FACEBOOK, INC.

By their Attorneys,

/s/ Jeremy P. Oczek

Steven M. Bauer (BBO# 542531)
Jeremy P. Oczek (BBO #647509)
PROSKAUER ROSE LLP
One International Place
Boston, MA 02110
Telephone: (617) 526-9600
Facsimile: (617) 526-9899
sbauer@proskauer.com
joczek@proskauer.com

G. Hopkins Guy, III*
I. Neel Chatterjee*
Monte M.F. Cooper*
Robert D. Nagel*
Joshua H. Walker*
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94025
Telephone: (650) 614-7400
Facsimile: (650) 614-7401
hopguy@orrick.com
nchatterjee@orrick.com
mcooper@orrick.com
rnagel@orrick.com
jwalker@orrick.com

* Admitted *Pro Hac Vice*

Certificate Pursuant To Local Rule 7.1

I hereby certify that counsel for the parties have conferred pursuant to Local Rule 7.1, and that counsel for Plaintiff ConnectU LLC has assented to this motion.

/s/ *Jeremy P. Oczek*
Jeremy P. Oczek

EXHIBIT A

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "THEFACEBOOK, INC.", CHANGING ITS NAME FROM "THEFACEBOOK, INC." TO "FACEBOOK, INC.", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF SEPTEMBER, A.D. 2005, AT 1:30 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



3835815 8100

050803334

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4197585

DATE: 09-30-05

State of Delaware
Secretary of State
Division of Corporations
Delivered 01:30 PM 09/30/2005
FILED 01:30 PM 09/30/2005
SRV 050803334 - 3835815 FILE

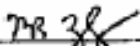
**CERTIFICATE OF AMENDMENT OF
THIRD AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
THEFACEBOOK, INC.**

The undersigned, Mark Zuckerberg, hereby certifies that:

- 1 He is the duly elected Chief Executive Officer of TheFacebook, Inc., a Delaware corporation.
- 2 The Certificate of Incorporation of this corporation was originally filed with the Secretary of State of Delaware on July 29, 2004.
- 3 Pursuant to Section 242 of the General Corporation Law of the State of Delaware, this Certificate of Amendment of Third Amended and Restated Certificate of Incorporation amends Article I of this corporation's Certificate of Incorporation to read in its entirety as follows:

"The name of the corporation shall be "Facebook, Inc."
- 4 The foregoing Certificate of Amendment has been duly adopted by this corporation's Board of Directors and stockholders in accordance with the applicable provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.

Executed at Palo Alto, California, on September 30, 2005.



Mark Zuckerberg, Chief Executive Officer